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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,668	08/06/2001	Diane A. Richardson	RICH-011	1548
7590	03/28/2005		EXAMINER	
Michael S. Neustel Suite No. 4 2534 South University Drive Fargo, ND 58103			PATEL, JAGDISH	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/923,668

Applicant(s)

RICHARDSON, DIANE A.

Examiner

JAGDISH PATEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Specification

1. The abstract of the specification is objected as being too long (more than 150 words). See MPEP section 608.01(a) Arrangement of Application.

Claim Objections

2. Claims 1-11 are objected due to minor informalities.

Claim 1 fails to recite various limitations in such a manner to provide proper links among the process steps.

For example, the feature "access parameters" recited in changing step should relate to "access parameters" recited in establishing step by adjective "the" to form a definitive relationship of the later with the previously defined one. Other features and limitations should be properly connected to form a proper antecedent basis.

Appropriate correction(s) is requested.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-11 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. Claim 1 recites process step "establishing a connection via a secure transaction protocol" which does not functionally relate to any other step.
5. Limitation "other gathered data" lacks antecedent basis because no step is recited which refers to gathering of the other data.

Dependent claims 2-11 also inherit these defects.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tetro et al. (US Pat. 6,122,624) (Tetro).

Per claim 1, Tetro discloses a method of client account access protection for client/server or brick and mortar-based transactions (see col. 4 and Fig. 1) comprising:

storing client defined access parameters; (col. 4 L 46-64, "The particular information collected in step 100 is illustrated in FIG. 3, where the user is prompted to enter the user's home street address in step 102, home zip code in step 104, home telephone number in step 106, and social security number in step 108." And "The input user information is transmitted to and received by central station 12, where such information is stored in memory 26." entering requested account holder private information;)

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entering requested account holder private information;
(Refer to step 100 entering discussed in "storing" step)
comparing entered account holder private information and
other gathered data with client defined access parameters;
and
determining to authorize or deny the transaction;
(refer to Figures 4-6 and related description)
changing client defined access parameters.
(refer to col. 6 L 2-5 "changed addresses" since obtaining
an account with the vendor).

Tetro fails to teach to teach the step of establishing a
connection via a secure transaction protocol;

Official notice is taken that establishing a connection via
a secure transaction protocol is old and well known in the field
of electronic data communication.

It would have been obvious to one of ordinary skill in the
art at the time of the invention to establish a connection via a
secure transaction protocol because connection via secure
transaction protocol ensures authentication of the entities
participating in the transaction, integrity, confidentiality,
authenticity and possibly non-repudiation of exchanges and
operations effected in the context of the transaction.

Claim 2. where said client defined access parameters is any
one or combination comprised of:

a password;

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client accounts selected enabled or denied by the client for transaction;

merchants selected enabled or denied for transaction with client accounts by the client;

geographic location parameters selected for association with a client account and merchants by the client;

a monetary amount associated with each account and merchant to limit the total amount of a single or a selected number of subsequent transactions;

a selection by the client to enable or deny access to the client accounts transacted through a bricks and mortar establishment and/or a network connection.

(Refer to Figure 2, col. 4 L 56-61, .. the user is prompted to enter the user's home street address in step 102, home zip code in step 104, home telephone number in step 106, and social security number in step 108; col. 5 L 47+ "predetermined expenditure limit"

Claim 3. where said geographic location parameters comprise Post Office zip codes, telephone area codes and telephone country codes.

(Refer to claim 2 analysis)

Claim 4. A method according to claim 2 where said network comprises the Internet or Intranet.

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(refer to col. 4 L 42-45 and L 50-53 "any other data transmission technique" and "Remote terminal 14 may include a ..personal computer..data may be input and transmitted to central station 12")

Claim 5. A method according to claim 1 where said storing client defined access parameters comprises storing the access parameters on a secure network server accessed by the client computing device.

(Refer to claim 1 analysis regarding secure transaction protocol, in view of this analysis storing the access on a secure network server is inherent)

Claim 6. A method according to claim 5 where the client computing device comprises a personal computer, a workstation, an Automatic Teller Machine and a personal digital assistant.

(see col. 4 L 50-53 "Remote terminal 14 may include a telephone, personal computer, or any other device through which data may be input and transmitted to central station 12.")

Claim 7. A method according to claim 1 where said establishing a connection comprises the SET, TLS or SSL secure transaction protocol.

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Tetro fails to teach that the step of establishing a connection comprises the SET, TLS or SSL secure transaction protocol.

Official notice is taken that establishing a connection via a secure transaction protocols comprising SET, TLS or SSL secure transaction protocol is old and well known in the field of electronic data communication.

(Refer to claim 1 for motivation statement.)

Claim 8. A method according to claim 1 where said entering requested account holder private information comprises name, address, password, account number or credit card number.

(refer to col. 4 L 56-61 and Figure 3, it is noted that adding more parameters concerning private information is within the scope of scope and spirit of the cited reference)

Claim 9. Tetro fails to teach and Official notice is taken that collecting data comprising location and time of transaction (store or merchant with location where the purchase is made and date/time of a purchase transaction) is old and well known in the field of electronic commerce. For example, this information is used by authorities to trace fraudulent or unauthorized use of a stolen credit card.

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It would have been obvious to one of ordinary skill in the art at the time of the invention to include location and time data pertaining to the transaction because this would allow tracing of fraudulent or unauthorized purchase transaction and would added level of security measure.

Claim 10. A method according to claim 1 where said determining to authorize or deny the transaction comprises: authorizing the transaction if requested private client information and other gathered data matches the said client defined access parameters; and denying the transaction if the requested private client information and other gathered data does not match the said client defined access parameters.

(refer to Figures 4-6 which explicitly teaches the authorization of the transaction as recited in the claim)

Claim 11. A method according to claim 1 where said changing client defined access parameters comprises selectively changing the access parameters at any time by the client via the client computing device.

(see col. 2 L 43-48, "prompted ..to input.." implies selectively changing the parameters, see Fig 5 step 500)

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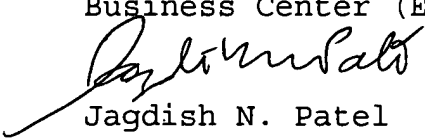
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (703)308-7837. The examiner can normally be reached on 800AM-600PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703)308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jagdish N. Patel

(Primary Examiner, AU 3624)

3/21/05